



Docket No. 5233-104 US

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Cynthia Sedmoff

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Customer No.
Anique DUCHARME	:	26817
	:	
Serial No. 10/826,240	:	Group Art Unit: 1609
	:	
Filed: April 15, 2004	:	Examiner: Anna Pagonakis
	:	
Title: METHOD AND COMPOUNDS TO	:	Confirmation No. 9632
DECREASE THE INCIDENCE OF ATRIAL	:	
FIBRILLATION (AF) IN PATIENTS WITH	:	
LEFT VENTRICULAR DYSFUNCTION	:	
	:	
	:	x

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In an Office Action dated July 10, 2007, the Examiner required restriction to one of the following groups:

- I. Claims 1-6, drawn to preventing the incidence of atrial fibrillation comprising administration of a therapeutically effective amount of an ACE inhibitor, classified in class 514, subclass 183.
- II. Claim 7-12, drawn to preventing the incidence of atrial fibrillation comprising administration of a therapeutically effective amount of an angiotensin II receptor antagonist, classified in class 514, subclass 183.

Applicants hereby elect with traverse Group I, claims 1-6, for prosecution in this application. Applicants submit that a search of the method of Group I would uncover the method of Group II. Applicants respectfully request the right to file a divisional application directed to the unelected claims.

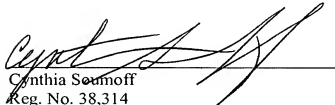
Further, the Examiner required the election of a single disclosed species. Applicants elect with traverse, the species enalapril. The generic claims encompassing this election include claims 1-3; the claims encompassing, in part, the elected species, are claims 4-5; the claim encompassing solely the elected species is claim 6.

The Examiner stated that the species are independent or distinct because they are different compounds having different structures, chemistry and binding activities. Applicants traverse because these characteristics are not relevant to the claims. The different compounds nonetheless have the same claimed biological effect, namely, are therapeutic in the method for preventing the incidence of atrial fibrillation in a subject with chronic heart failure.

A prompt action on the merits is earnestly solicited. The Examiner is invited to telephone the undersigned should she believe this would expedite prosecution of this application. It is believed no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: September 6, 2007


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